

THOMAS E. FRANKOVICH (State Bar No. 074414)  
 JENNIFER L. STENEGER (State Bar No. 202985)  
 THOMAS E. FRANKOVICH,  
*A Professional Law Corporation*  
 2806 Van Ness Avenue  
 San Francisco, CA 94109  
 Telephone: 415/674-8600  
 Facsimile: 415/674-9900

Attorneys for Plaintiffs NICOLE MOSS  
 and DISABILITY RIGHTS ENFORCEMENT,  
 EDUCATION SERVICES

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

NICOLE MOSS, an individual; and )	<b>CASE NO. C05-1877 CW</b>
DISABILITY RIGHTS, ENFORCEMENT, )	
EDUCATION, SERVICES:HELPING YOU) )	<b>ORDER GRANTING STIPULATION FOR</b>
HELP OTHERS, a California public benefit )	<b>PLAINTIFFS LEAVE TO AMEND THE</b>
corporation, )	<b>COMPLAINT</b>
)	
Plaintiffs, )	
)	
v. )	
)	
ALL STAR DONUTS; 5 <sup>th</sup> STREET )	
ASSOCIATES, LLC., a California limited )	
liability company, )	
)	
Defendant. )	
_____ )	

IT IS HEREBY STIPULATED by the parties hereto that plaintiffs may file the Second Amended Complaint attached as Exhibit "A" to the Stipulation. Since the filing of the complaint herein, plaintiffs have learned that Hong Tek Lou and Kien Le are the operators of the business known as All Star Donuts which is subject to this litigation, and accordingly they are proper defendants to this action. Plaintiffs' Second Amended Complaint adds Hong Tek Lou and Kien Le as defendants to this action.

IT IS FURTHER STIPULATED that counsel for defendant 5<sup>th</sup> Street Associates, LLC., will accept notice and service by the Court's electronic filing system of the complaint amended to add defendants Hong Tek Lou and Kien Le on behalf of defendant 5<sup>th</sup> Street Associates, LLC. Further, defendant 5<sup>th</sup> Street Associates, LLC, shall not be required to answer the

1 amendment. All denials, responses and affirmative defenses contained in the answer filed by  
2 defendant 5<sup>th</sup> Street Associates, LLC, to the original complaint shall be responsive to the  
3 amended complaint. However, nothing in this stipulation shall alter, excuse or otherwise  
4 change the obligation of the added defendants Hong Tek Lou and Kien Le to file an Answer or  
5 other responsive pleading as required by the Federal Rules of Civil Procedure and the Local  
6 Rules of Court.

7 IT IS FURTHER STIPULATED that this stipulation may be signed in counterparts and  
8 sent by facsimile with the same force and effect of an original signature.

9 IT IS SO STIPULATED.

10  
11 Dated: January 31, 2006

THOMAS E. FRANKOVICH  
A PROFESSIONAL LAW CORPORATION

12  
13  
14 By: /s/  
Jennifer L. Steneberg  
Attorneys for Plaintiffs NICOLE MOSS and  
15 DISABILITY RIGHTS ENFORCEMENT,  
EDUCATION SERVICES

16 Dated: January 30, 2006

LOW, BALL & LYNCH

17  
18  
19 By: /s/  
Thomas J. LoSavio  
Attorneys for Defendant 5<sup>th</sup> STREET  
20 ASSOCIATES, LLC.

21 **ORDER**

22 IT IS SO ORDERED.

23 Dated: 2/7  
24 \_\_\_\_\_, 2006



25 \_\_\_\_\_  
Hon. Claudia Wilken  
26 UNITED STATES DISTRICT JUDGE  
27  
28